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Michigan Freedom of Information Act

Michigan Freedom of Information Act (FOIA) MCLA 15.231 (2)

It is the public policy of this state that all persons, except those persons incarcerated in state or local correctional facilities, are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees, consistent with this act. The people shall be informed so that they may fully participate in the democratic process.

Who can make a FOIA request? MCLA 15.232 (2)(c)

“Person” means an individual, corporation, partnership, firm, organization, or association. Person does not include an individual serving a sentence of imprisonment in a state or county correctional facility in this state or any other state, or in a federal correctional facility.

How much does it cost to obtain requested materials?*

15.234 (4)(1)

A public body may charge a fee for a public record search, the necessary copying of a public record for inspection, or for providing a copy of the

public record. Subject to subsection (3) (*below*)... the fee shall be limited to actual mailing costs, and to the actual incremental cost of duplication or publication including labor...

(3) In calculating the cost of labor a public body may not charge more than the hourly wage of the lowest paid public body capable of retrieving the information...

How do I make a request under this Act?

15.235 (5)(1)

A person desiring to inspect or receive a copy of a public record may make an oral or written request for the public record to the public body.

*Other variables may apply

MCLA: Michigan Compiled Laws Annotated

This legal information is not intended to be a substitute for legal advice. You should talk with an attorney if you have any questions about how this information applies to your own problem or facts.

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